

PUBLIC ASSISTANCE PROGRAM DEBRIS REMOVAL FACT SHEET **FOR LOCAL GOVERNMENTS**

Under the Presidential disaster declaration for [State], the Federal Emergency Management Agency (FEMA) may provide assistance to State and local governments for costs associated with debris removal operations. (Debris removal operations include collection, pick-up, hauling, and disposal at a temporary site, segregation, reduction, and final disposal.) This funding is available under the Public Assistance Program. This document provides guidance regarding the eligibility of debris removal operations for Public Assistance funding.

General Work Eligibility: Removal and disposal of debris that is a result of the disaster, and is on public property, is eligible for Federal assistance. Public property includes road, streets, and publicly owned facilities. Removal of debris from parks and recreation areas is eligible when it affects public health and safety, or limits the use of those facilities.

Debris Removal from Private Property Disaster: Disaster related debris may be removed from private property if it is pre-approved by the Federal Disaster Recovery Manager, is a health and safety hazard, and if the work is performed by an eligible applicant, such as a municipal or county government. Removal of debris by private individuals is not eligible for Federal reimbursement. However, debris may be moved to the curbside for pick-up by an eligible applicant within a specific time period. This period will be established by FEMA in coordination with the State.

Eligible Costs: If an applicant uses force-account personnel and equipment, the cost of the equipment and overtime costs for personnel are eligible for Federal funding. If an applicant chooses to award a contract(s) for debris operations, the costs of the contracts also are eligible for Federal funding. **Applicants should exercise judicious care in contracting for debris operations, since by law, FEMA is authorized only to assist with reasonable costs.** Reasonable costs are those that are fair and equitable for the type of work performed. If desired, FEMA staff will review debris removal contracts for reasonableness prior to contract award.

Direct Federal Assistance: If the magnitude of debris operations is beyond the capability of State and local resources, the State may request direct Federal assistance. In such instances, FEMA will give to the U. S. Army Corps of Engineers a mission assignment to prepare, execute, and monitor contracts for debris operations.

Use of Contractors: If an applicant decides to award contracts for debris removal, FEMA advises the following:

- Utilize pre-negotiated contracts if available.
- Give preference to local contractors over out-of town contractors.
- Obtain informal bids (such as by telephone) from several contractors, if times does not permit use of formal competitive procedures.
- Utilize formal competitive procedures when time permits.
- If the contractor is not know, request copies of references, licenses, and financial records
- Document procedures used to obtain contractors.
- Do not accept contractor provided contracts without close review. FEMA can provide technical assistance

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| <ul style="list-style-type: none">• <i>FEMA does not recommend or pre-approve debris contractors.</i>• <i>FEMA does not certify or credential personnel other than official employees and Technical Assistance Contract personnel assigned to this disaster.</i>• <i>Please verify with the Public Assistance Officer</i> |
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There are various types of contracts that may be used for debris operations. Understanding the differences in the types will reduce potential problems.

Time and Materials Contracts: Time and materials contracts may be used for short periods of time immediately after the disaster to mobilize contractors for emergency removal efforts. They must have a dollar ceiling or a not-to-exceed limit for hours (or both), and should be terminated immediately when this limit is reached. Such contracts should be limited to 70 hours of actual work.

The contract should state that:

- Price for equipment applies only when equipment is operating.
- Hourly rate includes operator, fuel, maintenance, and repair.
- The community reserves the right to terminate the contract at its convenience.
- The community does not guarantee a minimum number of hours

Unit Price Contracts: Unit prices should be based on weight (tons) or volume (cubic yards) of debris hauled, and should be used when the scope-of work is not well defined. It requires detailed monitoring of pick-up, hauling, and dumping to ensure that quantities are accurate. Unit price contracts may be complicated by the need to segregate debris for disposal.

Lump Sum Contracts: This type contract establishes the total contract price using a one-item bid from the contractor. It should be used only when the scope of work is clearly defined, with areas of work and quantities of material clearly identified. Lump-sum contracts can be defined in two ways:

- **Area Method:** The scope of work is based on one-time clearance of a specified area. Controls are necessary to ensure that additional material is not brought into the area.
- **Pass Method:** The scope of work is based on a certain number of passes through a specified area, such as a given distance along a right-of-way. The contract should specify how the debris is to be sorted, identify specific roads and streets to be covered, the time intervals between passes, and the required time frame for completing a pass.

Ineligible Contracts: FEMA will not provide funding for the following types of contracts:

- Cost-plus-percentage of cost contracts; or
- Contract contingent upon receipt of State or Federal disaster assistance funding; or
- Contracts awarded to debarred contractors

Contract Monitoring: The applicant should monitor the contractor's activities to ensure satisfactory performance.

Monitoring includes the following:

- Verification that all debris picked-up is a direct result of the disaster
- Truck-by-truck inspections to ensure the trucks are fully loaded.
- On-site monitoring of pick-up areas, debris traffic routes, temporary sites, and disposal areas.
- Verification that the contractor is working in its assigned contract areas.
- Access control and security of all debris reduction and disposal sites.

FEMA can provide assistance with monitoring if necessary. If an applicant has insufficient staff to properly monitor debris contract operations, the cost of hiring of additional staff for monitoring (or contracting for monitoring) is eligible for Federal funding.

Documentation: To ensure that processing of Federal funding is done as quickly as possible, applicants should keep the following information: debris estimates, procurement information (bid requests, bid tabulations, etc.), contracts, invoices, and monitoring information (load tickets, scale records). If an applicant does debris removal, the payroll and equipment hours must be kept.

Technical Assistance

FEMA and the State may provide technical assistance with planning, carry out, and monitoring of debris removal operations. Applicants in need of technical assistance should contact the State Public Assistance Officer at the number given in the first paragraph.

Questions: Questions regarding debris operations or the Public Assistance Program in general should be referred to Questions: Questions regarding debris operations or the Public Assistance

Program in general should be referred to Rosemary Petersen, State Public Assistance Officer, at rpetersen@dhs.in.gov